

Work Session
September 20, 2004
S-6100 South Park Avenue
Hamburg, New York 14075

Supervisor Hoak calls the meeting to order at 6:00 p.m.

Roll Call:	Patrick H. Hoak	Supervisor
	D. Mark Cavalcoli	Councilman
	Kathleen C. Hochul	Councilwoman
	Thomas Quatroche, Jr.	Councilman

Also Present:	Barbara Allen	Deputy Town Clerk
	James Spute	Finance Director
	Gerard Kapsiak	Town Engineer

6:00 p.m. - 6:10 p.m. RESOLUTIONS

6:10 p.m. - 8:00 p.m. EXECUTIVE SESSION
(PERSONNEL & LEGAL MATTERS)

I.

RESOLVED, that the Town Board approve the travel request for Kathy Hochul to travel to Sacketts Harbor, New York on September 25, 2004 to attend a Seaway Trail Committee Meeting with directors to tour Discovery Center. Use of a Town vehicle is requested and the estimated cost is \$100.00.

Moved: Hoak	Seconded: Cavalcoli
Roll Call:	Ayes: Hoak, Cavalcoli, Quatroche
	Abstain: Hochul
	Noes: None
	Carried

Councilwoman Hochul comments that Betty Newell from the Chamber of Commerce is attending and some members of the committee. They are hoping to get a good group of people to go there and see what they have already done in Sacketts Harbor as sort of a model for them. The Seaway Trail Association is hosting their annual membership meeting at our visitor center on November 10th. So they are taking this trip Saturday and hoping to come back with some good information.

II.

BE IT RESOLVED, that the Town Clerk is authorized to advertise for bids on the demolition of a portion of the Hamburg Master Sewer Treatment Plant that is no longer used by the Town of Hamburg and located at 3849 Hoover Road.

Moved: Quatroche	Seconded: Cavalcoli
Roll Call:	Ayes: Hoak, Cavalcoli, Hochul, Quatroche
	Noes: none
	Carried

III.

RESOLVED, that the Town Board approve the reappointment of Charles Spinner to the Zoning Board of Appeals from June 30, 2004 to December 31, 2004.

Moved: Hoak	Seconded: Hochul
Roll Call:	Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
	Noes: None
	Carried

RESOLVED, that the Town Board approve the appointment of Scott D. Vuich to the position of full time Laborer in the Building and Grounds Department effective September 27, 2004, salary \$17.48 per hour, funded out of Building and Grounds.

[illegible]

BE IT RESOLVED, that the Town Engineer's report on the acceptance of the street lighting for RIDGEFIELD SUBDIVISION PART 2 installed under Public Improvement Permit No. 824 be received and accepted, and that the Supervisor is authorized to sign the report.

BE IT FURTHER RESOLVED, that the Town Board authorize New York State Electric and Gas (NYSEG) to connect a total of two (2) 50-watt high pressure sodium luminaries located on Ridgfield Terrace, in accordance with the existing rate tariff, and

BE IT FURTHER RESOLVED, that two certified copies of this resolution be provided to the Engineering Department for transmittal to NYSEG, and that this resolution becomes effective on the day the report is signed by the Supervisor.

Moved: Hochul
 Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
 Noes: None
 Carried

WHEREAS, by an April 21, 2003 Intermunicipal Highway Agreement, the Town of Hamburg and Village of Blasdell agreed that the Town shall be responsible for the ownership and maintenance of the newly constructed Coder Road, being 30 feet wide and 2086 LF in length between Milestrip Road and Lake Avenue, and the Town Engineering Department has inspected the road and found it to be satisfactory and acceptable, and therefore the Town Engineer and Town Highway Superintendent recommend that the Town Board accept this road as a public highway,

THEREFORE BE IT RESOLVED, that the Town Board hereby accepts Coder Road as a public highway which is owned and maintained by the Town of Hamburg.

Moved: Cavalcoli Seconded: Hochul
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
 Noes: None
 Carried

Supervisor Hoak comments that this is parallel to Route 5 connecting Lake Avenue to Route 179 with the hope of an industrial park. Councilman Cavalcoli comments that this will help the Village of Blasdell because they have no expandable tax base. They thank Mr. Kapsiak for all his hard work on this.

RESOLVED, that the Town Board set a Public Hearing for the Penfold property (CID Corporate Office) from C-3 (Office District) to H-C (Hamburg Commercial District) for a Victorian Tea Room on October 25, 2004 at 7:15 p.m.

Moved: Hoak
 Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
 Noes: None
 Carried

BE IT RESOLVED, that the Town Clerk is authorized to schedule a public hearing on Proposed Local Law #8, 2004. This local law would provide for establishment of speed limits on or along any streets or highways within the Town of Hamburg. The public hearing is to be scheduled for October 25, 2004 at 7:00 p.m. local time.

Moved: Hochul
Seconded: Quatroche
Roll Call:
Ayes: Hoak, Cavalcoli, Hochul, Quatroche
Noes: None
Carried

Councilwoman Hochul comments that this is in response to the action taken by the New York State Legislature and the Governor in passing what the Town considers an egregious law. They are looking at all of their options to try and get out from under what they consider a problem which is the potential loss of revenues for the Town. This is an opportunity to have a Town vehicle and traffic law prevail in the Town with respect to Town, County and State Roads. She felt they had a legitimate right to do this and Mr. Boehm, Deputy Town Attorney, did the research on this. This may be contested but she felt we have the right to assert our independence and say that these are Town roads. It isn't just the revenues. Every ticket is issued by a Town of Hamburg Police Officer paid for by the Town in a Town Police car, which goes through our Town courts with Judges paid for by the Town and court paid for by the Town. She doesn't see where the State has any jurisdiction to touch any of these revenues. Supervisor Hoak comments that there is an impact on the individuals as well. There will be an impact on their insurance. Councilwoman Hochul responds that if our Police issue 100 tickets, then there would be 100 trials and 100 times our Police Officers would have to come in and we would have to pay overtime and the additional costs and then if they don't show up at the trial the charges are dismissed. The reality is that people would escape any justice. Councilman Cavalcoli comments that this is the real impact, beyond the dollar revenues it is what it does to the whole enforcement system. Councilwoman Hochul comments that it should be up to the Town how we want to handle people speeding on our roads, not the State. We are the only Town proposing to assert authority in this regard, we are the first in a lot of areas and will be the first here.

RESOLVED, that the Town Board approve the transfer of Appropriations for the Domestic Violence Department within the 2004 Budget as follows:

From: Contingency Account	A1990.419	\$3,230.00
To: Dom. Viol. Pers. Serv.	A3225.100	\$3,000.00
“ ” Soc. Sec.	A3225.830	\$ 230.00

To fund Part-time to year end.

Moved: Hoak Seconded: Cavalcoli
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
 Noes: None
 Carried

RESOLVED, that the Town Board approve the hiring of personnel for the Recreation Department as follows:

1.	Kull, Joseph	B7310(320)	09/15/2004	\$7.00 P/T
		Lifeguard/ Temp. Rec. Attendant		\$6.60 P/T Temp.
2.	Zitnik, Anthony	A7265(230)	09/14/2004	\$7.75 P/T
		Rec. Attendant		

Moved: Quatroche Seconded: Hochul
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
 Noes: None
 Carried

XI.

RESOLVED, that the Town Board approve the hiring of personnel for the Adult Day Services as follows:

1. Crowley, Nancy	P/T Rec. Attendant	09/20/2004	\$9.86
-------------------	--------------------	------------	--------

Moved: Cavalcoli Seconded: Quatroche

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche

Noes: None

Carried

XII.

RESOLVED, that the Town Board approve the hiring and termination of personnel for the Domestic Violence Department as follows:

1. Mitchell, Anne	Clerk P/T	09/10/2004	Terminate
-------------------	-----------	------------	-----------

2. Mitchell, Anne	Clerk Seasonal	09/13/2004	\$8.03
-------------------	----------------	------------	--------

3. Mitchell, Anne	Clerk Seasonal	10/29/2004	Terminate
-------------------	----------------	------------	-----------

4. Mitchell, Anne	Clerk P/T	11/01/2004	\$8.03
-------------------	-----------	------------	--------

Moved: Cavalcoli Seconded: Quatroche

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche

Noes: None

Carried

XIII.

RESOLVED, that the Town Board approve the hiring and termination of personnel for the Building and Grounds Department as follows:

1. Jacob Krause	Seasonal Laborer	08/12/2004	Terminate
2. Marc Hixon	“ ”	09/03/2004	Terminate
3. Timothy Mann	“ ”	09/01/2004	Terminate
4. Anthony Anzalone	“ ”	09/05/2004	Terminate
5. Theodore Sutton	“ ”	05/03/2004	\$9.09
6. Matt Giacomini	“ ”	08/09/2004	\$6.50
7. Alan Putman	“ ”	05/17/2004	\$7.75
8. Christopher Hahn	“ ”	09/05/2004	Terminate
9. Dennis Cherry	P/T Laborer	06/1/2004	Terminate
10. Dennis Cherry	Seasonal Laborer	06/18/2004	\$7.00
11. Ron Durshy	“ ”	09/10/2004	Terminate
12. Ron Durshy	P/T Laborer	09/13/2004	\$9.09
13. Michael Ersing	Seasonal Laborer	09/10/2004	Terminate
14. Michael Ersing	P/T Laborer	09/13/12004	\$9.09
15. Sam Fraser	Seasonal Laborer	09/27/2004	Terminate
16. Sam Fraser	P/T Laborer	09/28/2004	\$9.09
17. John Gerken	P/T Laborer	09/17/2004	Terminate
18. John Gerken	Seasonal Laborer	09/20/2004	\$9.09
19. Thomas Jasinski	Seasonal Laborer	09/10/2004	Terminate
20. Thomas Jasinski	P/T Laborer	09/13/2004	\$9.09
21. George Kales	Seasonal Laborer	10/02/2004	Terminate
22. George Kales	P/T Laborer	10/04/2004	\$9.09
23. John Ryan	Seasonal Laborer	09/13/2004	Terminate
24. John Ryan	P/T Laborer	09/14/2004	\$9.09
25. Matthew Schweizer	Seasonal Laborer	08/27/2004	Terminate
26. Matthew Schweizer	P/T Laborer	08/30/2004	\$9.09
27. Mike Scinta	Seasonal Laborer	08/30/2004	Terminate
28. Mike Scinta	P/T Laborer	10/04/2004	\$9.09
29. Theodore Sutton	Seasonal Laborer	10/01/2004	Terminate
30. Theodore Sutton	P/T Laborer	10/04/2004	\$9.09
31. John Zulawski	Seasonal Laborer	09/16/2004	Terminate
32. John Zulawski	P/T Laborer	09/17/2004	\$9.09
33. Mike Mueller	Seasonal Laborer	08/27/2004	Terminate
34. Mike Mueller	P/T Laborer	08/30/2004	\$7.75
35. David Hojnacki	Seasonal Laborer	08/27/2004	Terminate
36. David Hojnacki	P/T Laborer	08/30/2004	\$6.50

Moved: Quatroche

Seconded: Hochul

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche

Noes: None

Carried

RESOLVED, that the Town Board approve the Audit of Cash Disbursements as follows:

OPERATING FUND:

<u>TOTAL OPERATING FUND DISBURSEMENTS:</u>	\$208,216.04
--	--------------

TOTAL TRUST & AGENCY DISBURSEMENTS:	\$	0.00
-------------------------------------	----	------

TOTAL CAPITAL FUND DISBURSEMENTS:	\$119,543.40
-----------------------------------	--------------

TOTAL PAYROLL DISBURSEMENTS:	\$	0.00
------------------------------	----	------

TOTAL PETTY CASH DISBURSEMENTS:	\$	0.00
---------------------------------	----	------

PETTY CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$327,759.44

IX.

RESOLVED, that the Town Board adjourn to Executive Session.

Moved: Hoak Seconded: Cavalcoli
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
 Noes: None
 Carried

Catherine Rybczynski, Town Clerk